

Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON, AT SEATTLE

EMPLOYEE PAINTERS TRUST HEALTH &  
WELFARE FUND, WESTERN  
WASHINGTON PAINTERS DEFINED  
CONTRIBUTIONS PENSION TRUST,  
WESTERN WASHINGTON  
APPRENTICESHIP AND TRAINING TRUST,  
WESTERN WASHINGTON PAINTERS  
LABOR MANAGEMENT COOPERATION  
TRUST FUND, INTERNATIONAL UNION  
OF PAINTERS & ALLIED TRADES  
PENSION FUND and INTERNATIONAL  
UNION OF PAINTERS & ALLIED TRADES  
DISTRICT COUNCIL NO. 5,

Plaintiffs,

vs.

FINISHERS CORPORATION OF  
CALIFORNIA, a Washington corporation, NW  
FINISHERS CORPORATION, a Washington  
corporation, CHRIS TROXEL and "JANE  
DOE" TROXEL, husband and wife and the  
marital community comprised thereof,

Defendants.

CAUSE NO.: CV6-1218RSL

MOTION AND ORDER OF  
DISMISSAL WITH PREJUDICE

**NOTE ON MOTION CALENDAR:**  
**October 26, 2007**

1  
2  
3 Plaintiffs Employee Painters Trust Health & Welfare Fund, Western Washington  
4 Painters Defined Contributions Pension Trust, Western Washington Apprenticeship And  
5 Training Trust, Western Washington Painters Labor Management Cooperation Trust Fund,  
6 International Union Of Painters & Allied Trades Pension Fund And International Union Of  
7 Painters & Allied Trades District Council NO. 5, (Trust Funds), by and through their counsel of  
8 record, hereby move the Court to dismiss this action with prejudice against Defendants  
9 Finishers Corporation Of California, a Washington corporation, NW Finishers Corporation, a  
10 Washington corporation, Chris Troxel and "Jane Doe" Troxel, husband and wife and the  
11 marital community comprised thereof, for the reason that Plaintiff Trust Funds' claim against  
12 said Defendants Finishers Corporation Of California, a Washington corporation, NW Finishers  
13 Corporation, a Washington corporation, Chris Troxel and "Jane Doe" Troxel, husband and wife  
14 and the marital community comprised thereof, for the period August through December 2003,  
15 March through June 2004 and July through September 2004 has been resolved.

16 DATED this 2<sup>nd</sup> day of October, 2007.

17  
18 ~~s/ David L. Tuttle~~  
19 ~~WSBA #38728~~  
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Attorney for Plaintiff Trust Funds


## 24 ORDER

25 Pursuant to Plaintiff Trust Funds' Motion, the Clerk is hereby directed to dismiss

1  
2 Employee Painters Trust Health & Welfare Fund, Western Washington Painters Defined  
3 Contributions Pension Trust, Western Washington Apprenticeship And Training Trust,  
4 Western Washington Painters Labor Management Cooperation Trust Fund, International Union  
5 Of Painters & Allied Trades Pension Fund And International Union Of Painters & Allied  
6 Trades District Council No. 5,'s action against Defendants Finishers Corporation Of California,  
7 a Washington corporation, NW Finishers Corporation, a Washington corporation, Chris Troxel  
8 and "Jane Doe" Troxel, husband and wife and the marital community comprised thereof, in  
9 accordance with the following Order. It is hereby

10 **ORDERED** that the above-entitled action against Defendants Finishers Corporation Of  
11 California, a Washington corporation, NW Finishers Corporation, a Washington corporation,  
12 Chris Troxel and "Jane Doe" Troxel, husband and wife and the marital community comprised  
13 thereof, shall be and hereby is dismissed with prejudice and without costs to either party.

14 DATED this 12<sup>th</sup> day of October, 2007.

15   
16 Robert S. Lasnik  
17 United States District Judge

18 Presented by:

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